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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,049	02/14/2001	James B. Pritchard	PRIT01-00001	9634
7590	09/30/2004		EXAMINER	
Sidney L. Weatherford 1006 Rainbow Dr. Richardson, TX 75081			STULBERGER, CAS P	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/783,049	PRITCHARD ET AL.	
	Examiner	Art Unit	
	Cas Stulberger	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) * | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, 5, 9-13, 16-22, 26-32, and 38-39 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,805,222 to Young et al.

3. In regards to claims 1, 11, 12, 20, 22, 30, and 38, Young discloses the word Login as an example of a user password in figure 1. Young discloses the differences between the time, which may be called, keystroke dynamics and represent the different time patterns which are derived from an individual's typing (Young: column 4, lines 3-18). Each letter typed in the password in figure 1 meets the limitation of "a password segment." The actual letter meets the limitation of "a predetermined entry signal" and the time between the key depressions meets the limitations of "a predetermined time interval following said entry even; and a terminating signal follow said predetermined time interval." (Young: Figure 1). The security access monitor stores the time periods and the number of characters in the character string being analyzed. The actual characters in the character string may also be stored (Young: column 2, lines 53-67).

4. In regards to claims 2, Young discloses that if the difference between the creator's keystroke dynamics and the claimant's keystroke dynamics is beyond permissible amounts,

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referred to as "thresholds," the system may deny access to the computer (Young: column 3, lines 1-15).

5. In regards to claims 4, Young discloses that the password consists of alphanumeric characters (Young: column 2, lines 27-29).

6. In regards to claims 5, 9, 10, 13, 16-19, 21, 23, 26-29, 31-32, 39, Young discloses measuring the time interval from the edge of a first entry event to the trailing edge of a next second entry event (Young: figure 1).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3, 6-8, 14-15, 23-25, 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,805,222 to Young et al as applied to claims 1, 2, 4, 9-13, 16-22, 26-32, and 38-39 above, and further in view of U.S. Patent No. 5,241,594 to Kung.

9. Young does not disclose an online connection to determine whether the password attempt from the online connection matches the stored password. Kung discloses a server that controls access to the entire distributed system (Kung: Abstract). The user establishes communications

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with the server from the workstation and the user ID and password is authenticated (Kung: column 4, lines 34-37). This meets the limitations of "an online connection to determine whether the password attempt from the online connection matches the stored password."

10. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of authentication with a password as disclosed by Young with the method of authentication with a password between a server and computer as disclosed by Kung in order to access a remote host without the additional requirement of inputting a user ID and password of the remote host computer (Kung: column 4, lines 46-48).

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cas Stulberger whose telephone number is (703) 305-8034. The examiner can normally be reached on Monday - Friday, 9:00A.M. - 5:00P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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